



Entered on Docket
November 17, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegler".

Hon. Linda B. Riegler
United States Bankruptcy Judge

RICK A. YARNALL
CHAPTER 13 BANKRUPTCY TRUSTEE
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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

IN RE:

DIKKA MELELANI RIAN

Debtor

Chapter 13
BKS-09-22181-LBR

**ORDER DISMISSING CASE AND DENIAL OF
CONFIRMATION**

Hearing Date: 09/17/2009
Hearing Time: 1:30 PM

The Trustee's Opposition to Confirmation of Plan Combined with Trustee's Recommendation of Dismissal filed in the above-captioned matter having on for hearing, the following parties have appeared: ☒ Trustee ☐ Debtor ☐ Attorney for Debtor ☐ Other, and said Motion having been considered by this Court, and good cause appearing therefore;

IT IS HEREBY ORDERED that confirmation of the Plan is denied and that the above-captioned proceedings under Chapter 13 be DISMISSED for the following reason(s):

- Debtor failed to appear [11 USC 341(a)]
- Debtor failed to commence Plan payments [11 USC 1326(a)(1)]
- Plan is not viable due to: secured claims filed [11 USC 1322]
- Delinquent Plan payments.
- The proposed Plan fails to provide for all the Debtor's disposable income [11 USC 1325(b)(1)(B)] based on Objection to form 22c (i.e. luxury item, unreasonable expenses, etc.) and, as a result, the Debtor has failed to file a Plan in good faith [11 USC 1325(a)]
- The Debtor has failed to cooperate with the Trustee [11 USC 521(3)] as the following document(s) were not provided: ☒ tax returns ☐ pay stubs ☐ profit & loss statements ☐ other:

IT IS FURTHER ORDERED that the Trustee is allowed \$150.00 as and for expenses in the administration of this case.

DATED: 11/12/2009

Submitted by:

/s/ RICK A. YARNALL

Rick A. Yarnall

Chapter 13 Trustee

(LMA)

LR 9021 certification language:

In accordance with LR 9021, counsel submitting this document certifies as follows ;

____ The court has waived the requirement of approval under LR 9021.

____ No parties appeared or filed written objections, and there is no trustee appointed in the case.

X I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

None - no parties appeared

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